NOTICE OF INTENT

Department of Environmental Quality
Office of Environmental Assessment
Environmental Planning Division

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air Quality regulations, LAC 33:III.2103, 2104, 2109, 2115, 2122, 2143, 2147, 2149, 2151, & 2153 (Log #AQ219).

Calcasieu experienced six ozone exceedance days during the years 1998, 1999, and 2000. Four or more exceedances during any consecutive 3-year period constitute a violation of the ozone National Ambient Air Quality Standard (NAAQS). In accordance with activated contingency measures established in the approved air quality Maintenance Plan for Calcasieu Parish, a control strategy must be developed and appropriate control measures implemented in an effort to maintain Calcasieu's current attainment designation and to protect air quality in the area. This proposed rule revision affects the four parishes of Calcasieu, Jefferson Davis, Beauregard, and Cameron by lowering applicability thresholds of four sections in LAC 33:III.Chapter 21 that regulate fugitive emissions, crude oil and condensate, waste gas disposal, and graphic arts facilities. Additionally, other sections in Chapter 21 that regulate internal/external floating roof tanks, oil/water separation, SOCMI (Synthetic Organic Chemical Manufacturing Industry) reactor processes and distillation operations, batch processing, cleanup solvent processing, and industrial wastewater are revised to include the same stringency that currently exists for affected facilities in the Baton Rouge nonattainment area and Calcasieu Parish. The proposed revision to the fugitive rule for the four parishes lowers the applicability threshold from 100 tons per year (TPY) to 50 TPY and increases the frequency of monitoring of the affected facilities. The basis and rationale for this proposed rule are to continue achieving compliance with the NAAQS for ozone in Calcasieu and adjoining parishes to protect the air quality of the state of Louisiana.

This proposed rule meets an exception listed in R.S. 30:2019 (D) (3) and R.S.49:953 (G) (3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This proposed rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

A public hearing will be held on August 28, 2001, at 1:30 p.m. in the Maynard Ketcham Building, Room 326, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Patsy Deaville at the address given below or at (225) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Persons commenting should reference this proposed regulation by AQ219.

Such comments must be received no later than September 4, 2001, at 4:30 p.m., and should be sent to Patsy Deaville, Regulation Development Section, Box 82178, Baton Rouge, LA 70884-2178 or to FAX (225) 765-0389. Copies of this proposed regulation can be purchased at the above referenced address. Contact the Regulation Development Section at (225) 765-0399 for pricing information. Check or money order is required in advance for each copy of AQ219.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 7290 Bluebonnet Boulevard, Fourth Floor, Baton Rouge, LA 70810; 804 Thirty-first Street, Monroe, LA 71203; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 201 Evans Road, Building 4, Suite 420, New Orleans, LA 70123; 100 Asma Boulevard, Suite 151, Lafayette, LA 70508; 104 Lococo Drive, Raceland, LA 70394 or on the Internet at http://www.deq.state.la.us/ planning/regs/index.htm.

James H. Brent, Ph.D.
Assistant Secretary

Title 33

ENVIRONMENTAL QUALITY

Part III. Air

Chapter 21. Control of Emission of Organic Compounds
Subchapter A. General
§2103. Storage of Volatile Organic Compounds

* * *

[See Prior Text in A-B]

C. Internal Floating Roof. An internal floating roof consists of a pontoon type roof, double deck type roof, or internal floating cover which will rest or float on the surface of the liquid contents and is equipped with a closure seal to close the space between the roof edge and tank wall. All tank gauging and sampling devices shall be gas tight except when gauging or sampling is taking place. If the organic compounds have a vapor pressure of 11.0 psia or greater under actual storage conditions, the requirements of Subsection F of this Section shall supersede the requirements of this Subsection. In the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge, the following additional requirements apply:

* * *

[See Prior Text in C.1-3]

D. External Floating Roof. An external floating roof consists of a pontoon type roof, double deck type roof, or external floating cover which will rest or float on the surface of the liquid contents and is equipped with a primary closure seal to close the space between the roof edge and tank wall and a continuous secondary seal (a rim mounted secondary) extending from the floating roof to the tank wall. In the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge, the primary closure seal shall consist of a liquid mounted seal or a mechanical shoe seal, as defined in Subsection C.1.a and b of this Section. Installation of the primary and secondary seals in these parishes shall be within the same time requirements as stipulated in Subsection C.3 of this Section.

* * *

[See Prior Text in D.1 -2.e]

3. Requirements for Covering Openings. All openings in the external floating roof, except for automatic bleeder vents, rim space vent, and leg sleeves, are to provide a projection below the liquid surface. Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof is to be equipped with a cover, seal, or lid that is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. Automatic bleeder vents must be closed at

all times except when the roof is floated off or landed on the roof leg supports. Rim vents must be set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting. Any emergency roof drain must be equipped with a slotted membrane fabric cover or equivalent cover that covers at least 90 percent of the opening. In the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge, all covers, seals, lids, automatic bleeder vents, and rim space vents are to be gasketed.

4. Requirements for Guide Poles and Stilling Well Systems. Emissions from guide pole systems must be controlled for external floating roof storage tanks with a capacity greater than 40,000 gallons (approximately 151 m^3) and which store a liquid having a total vapor pressure of 1.5 psia or greater. The requirements of this Paragraph shall only apply in the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge.

* * *

[See Prior Text in D.4.a –b]

c. For any tank located in the parishes of Ascension, Calcasieu, East Baton Rouge, Iberville, Livingston, Pointe Coupee, and West Baton Rouge, ~~I~~installation of controls required by Subsection D.4 of this Section shall be required by November 15, 1996. Requests for extension of the November 15, 1996, compliance date will be considered on a case-by-case basis for situations ~~which~~ that require the tank to be removed from service to install the controls and must be approved by the administrative authority*. For any tank located in the parishes of Beauregard, Cameron, or Jefferson Davis, installation of controls required by Subsection D.4 of this Section shall be required by January 1, 2003. Requests for extension of the January 1, 2003, compliance date will be considered on a case-by-case basis for situations that require the tank to be removed from service to install the controls and must be approved by the administrative authority*.

* * *

[See Prior Text in D.4.d – F]

G. Exemptions. The provisions of this Section (e.g., LAC 33:III.2103) do not apply to:

1. existing and new storage tanks, located in any parish other than the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge, used for crude oil or condensate and having a nominal storage capacity of less than 420,000 gallons (1,589,900 liters) unless such new tanks are subject to New Source Performance Standards;

2. tanks 420,000 gallons (1,589,900 liters) or greater, located in any parish other than the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton

Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge, used to store produced crude oil or condensate prior to lease custody transfer unless such tanks are subject to New Source Performance Standards;

3. existing and new storage tanks in the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge that are used for crude oil or condensate prior to lease custody transfer and that have a nominal storage capacity of less than 420,000 gallons (1,589,900 liters) unless such new tanks are subject to New Source Performance Standards;

* * *

[See Prior Text in G.4 – I.6]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended LR 15:1065 (December 1989), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 16:27 (January 1990), LR 17:360 (April 1991), LR 18:1121 (October 1992), LR 20:1376 (December 1994), LR 21:1223 (November 1995), repromulgated LR 21:1333 (December 1995), amended LR 22:453 (June 1996), LR 22:1212 (December 1996), LR 24:20 (January 1998), LR 24:2242 (December 1998), LR 25:657 (April 1999), LR 25:852 (May 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2452 (November 2000), LR 27:

§2104. Crude Oil and Condensate

A. Applicability. This Section applies to any oil and gas production facility (SIC Code 1311), natural gas processing plant (SIC Code 1321), or natural gas transmission facility (SIC Code 4922) that has a potential to emit more than 50 Tons Per Year (TPY) of flash gas to the atmosphere in the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, and West Baton Rouge or more than 100 TPY of flash gas to the atmosphere in any other parish.

* * *

[See Prior Text in B – C.1]

2. For facilities in the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, and West Baton Rouge with a potential to emit less than 250 tons per year of flash gas, aggregated facility flash gas emissions shall be reduced by a minimum of 95 percent or reduced to a potential to emit of less than 50 TPY.

3. For facilities in parishes other than Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, and West Baton Rouge with a potential to emit less than 250 tons per year of flash gas, aggregated

facility flash gas emissions shall be reduced by a minimum of 95 percent, or reduced to a potential to emit of less than 100 TPY.

* * *

[See Prior Text in D – D.3]

E. Compliance Schedule. For equipment located in the parishes of Ascension, East Baton Rouge, Iberville, Livingston, and West Baton Rouge, compliance shall be achieved as soon as practicable, but no later than September 1, 1998. For equipment located in the parishes of Beauregard, Calcasieu, Cameron, and Jefferson Davis, with a potential to emit less than 100 TPY, compliance shall be achieved as soon as practicable, but no later than September 1, 2002. For all other facilities compliance shall be achieved as soon as practicable, but no later than May 1, 1999.

* * *

[See Prior Text in F – G.5]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:1497 (November 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:

§2109. Oil/Water—Separation

* * *

[See Prior Text in A – B.3]

4. Except for the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge, any single- or multiple-compartment volatile organic compound water separator emitting 100 tons per year or less of regulated hydrocarbons (uncontrolled) is exempt from the provisions of LAC 33:III.2109.A.

* * *

[See Prior Text in B.5 – D.3]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended LR 16:117 (February 1990), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:361 (April 1991), LR 18:1121 (October 1992), LR 22:1212 (December 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:

§2115. Waste Gas Disposal

Any waste gas stream containing volatile organic compounds (VOC) from any emission source shall be controlled by one or more of the applicable methods set forth in Subsections A-G of this Section. This Section shall apply to all waste gas streams located at facilities that have the potential to emit 50 TPY or more of ~~volatile organic compounds~~ VOC in the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge, or 100 TPY or more of VOC in any other parish. This Section does not apply to waste gas streams that must comply with a control requirement, meet an exemption, or are below an applicability threshold specified in another section of this Chapter. This Section does not apply to waste gas streams that are required by another federal or state regulation to implement controls that reduce VOC to a more stringent standard than would be required by this Section.

* * *

[See Prior Text in A – H.1]

a. it can be demonstrated that the waste gas stream is not a part of a facility that emits, or has the potential to emit, 50 TPY or more of ~~volatile organic compounds~~ VOC in the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge or 100 TPY or more of VOC in any other parish;

* * *

[See Prior Text in H.1.b – c]

d. it is a waste gas stream with a concentration of VOC less than 0.44 psia true partial pressure (30,000 ppm), except for the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, St. James, and West Baton Rouge in which the concentration of VOC in the waste gas stream must be less than 0.044 psia true partial pressure (3,000 ppm).

* * *

[See Prior Text in H.2 – I.5]

J. Compliance. All facilities affected by LAC 33:III.2115 shall be in compliance as soon as practicable but in no event later than ~~two years after becoming an affected facility~~ [date to be inserted one year from promulgation] ~~except for the parishes of Ascension, Calcasieu, East Baton Rouge, Iberville, Pointe Coupee, St. James, and West Baton Rouge where facilities shall be in compliance no later than one year after becoming an affected facility~~.

* * *

[See Prior Text in J.1 – M.Waste Gas Stream]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 16:960 (November 1990), LR 17:654 (July 1991), LR 18:1122 (October 1992), LR 19:317 (March 1993), LR 22:1212 (December 1996), LR 24:21 (January 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:

§2122. Fugitive Emission Control for Ozone Nonattainment Areas and Specified Parishes

A. Applicability

* * *

[See Prior Text in A.1]

2. This Section is applicable to sources in the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge. ~~Where the provisions of this Section are effective, process units to which this Section applies that are also subject to the provisions of LAC 33:III.2121 will not be required to comply with the provisions of LAC 33:III.2121. Process units that are currently being monitored under LAC 33:III.2121 for fugitives shall be subject to the requirements of that rule until January 1, 1996.~~

3. ~~Reserved.~~ The requirements of this Section shall be effective for sources located in the parishes of Ascension, East Baton Rouge, Iberville, Livingston, Pointe Coupee, and West Baton Rouge starting January 1, 1996.

4. The requirements of this Section shall be effective for sources located in the parishes of Beauregard, Calcasieu, Cameron, and Jefferson Davis starting January 1, 2003 ~~1996~~.

5. ~~This Section is applicable to sources in the parishes of Ascension, East Baton Rouge, Iberville, Livingston, Pointe Coupee, and West Baton Rouge.~~ Where the provisions of this Section are effective, process units to which this Section applies that are also subject to the provisions of LAC 33:III.2121 will not be required to comply with the provisions of LAC 33:III.2121.

* * *

[See Prior Text in A.6 – G.6]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1102 (October 1994), repromulgated LR 20:1279 (November 1994), amended LR

22:1129 (November 1996), LR 22:1212 (December 1996), repromulgated LR 23:197 (February 1997), amended LR 23:1678 (December 1997), LR 24:22 (January 1998), LR 24:1285 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2453 (November 2000), LR 27:

Subchapter H. Graphic Arts

§2143. Graphic Arts (Printing) by Rotogravure and Flexographic Processes

A. Control Requirements. No person shall operate or allow the operation of a packaging rotogravure, publication rotogravure, or flexographic printing facility having a potential to emit 50 TPY or more of VOC in the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge, or having a potential to emit 100 TPY or more of VOC in any other parish, unless ~~volatile organic compound~~ VOC emissions are controlled by one of the methods in Subsection A.1-5 of this Section. Once a facility is subject to the provisions of this Section, it remains so regardless of future variations in production.

* * *

[See Prior Text in A.1 –5]

B. Applicability Exemption. A rotogravure or flexographic printing facility that has the potential to emit at full production (8760 hours per year basis) a combined weight of ~~volatile organic compounds~~ VOC of less than 50 TPY (~~in attainment areas~~ in the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge) or 100 TPY (~~in attainment areas~~ in any other parish), calculated from historical records of actual consumption of ink, is exempt from the provisions of Subsections A and C of this Section and need only comply with Subsection D of this Section.

* * *

[See Prior Text in C – D.3]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 16:959 (November 1990), LR 18:1123 (October 1992), LR 22:1212 (December 1996), LR 24:25 (January 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1796 (October 1999), LR 27:

Subchapter J. Limiting Volatile Organic Compounds (VOC) Emissions from Reactor Processes and Distillation Operations in the Synthetic Organic Chemical Manufacturing Industry (SOCMI)

§2147. Limiting VOC Emissions from SOCMI Reactor Processes and Distillation Operations

A. Applicability

1. The provisions of this Subchapter apply to any vent stream discharging to the atmosphere and originating from a process unit in which a reactor process or distillation operation is located. This Subchapter shall apply to all vents located at facilities that emit, or have the potential to emit, 50 ~~tons per year~~ TPY or more of ~~volatile organic compounds~~ VOC, plantwide, in the affected parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge. Once an operation is considered to be covered by this Subchapter, it shall be so considered ad infinitum. A decision tree is provided (Figure 1) to facilitate determination of applicability to this Subchapter on a per vent basis. The total resource effectiveness (TRE) index value may be applied on an individual process vent stream basis for a given process unit. Sources in Ascension, Calcasieu, East Baton Rouge, Iberville, Livingston, Pointe Coupee and West Baton Rouge parishes shall attain ~~C~~ccompliance with ~~this rule~~ these regulations ~~shall be attained within a period of two years~~ no later than April 20, 1997 ~~after promulgation~~. Sources in Beauregard, Cameron, and Jefferson Davis parishes shall attain compliance no later than [date to be inserted two years from promulgation]. Any emission source that is subject to ~~this rule~~ these regulations and to the Waste Gas Disposal Rule (LAC 33:III.2115) shall comply with this rule only. ~~This rule~~ These regulations shall apply only to Standard Industrial Major Code 28.

* * *

[See Prior Text in A.2 – F.4.Figure 1]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 21:380 (April 1995), amended LR 22:1212 (December 1996), LR 23:1508 (November 1997), LR 23:1510 (November 1997), LR 23:1679 (December 1997), LR 24:1286 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:

Subchapter K. Limiting Volatile Organic Compounds (VOC) Emissions from Batch Processing

§2149. Limiting ~~Volatile Organic Compound~~ VOC Emissions from Batch Processing

A. Applicability

1. The provisions of this Subchapter apply to process vents associated with batch processing operations. This Subchapter shall apply to the stationary sources that emit, or have the potential to emit, 50 ~~tons per year~~ TPY or more of ~~volatile organic compounds (~~VOC~~s)~~ in the affected parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge. Once an operation is considered to be covered by this Subchapter, it shall be so considered ad infinitum. The scope of affected industries is limited to those industries in the following standard industrial classification (SIC) codes: 2821, 2833, 2834, 2861, 2865, 2869, 2879. Sources in Ascension, Calcasieu, East Baton Rouge,

Iberville, Livingston, Pointe Coupee, and West Baton Rouge parishes shall attain ~~C~~compliance with these regulations ~~this rule shall be attained within a period of two years after promulgation~~ no later than April 20, 1997. Sources in Beauregard, Cameron, and Jefferson Davis parishes shall attain compliance no later than [date to be inserted two years from promulgation]. Any emission source that is subject to ~~this rule~~ these regulations and to the Waste Gas Disposal Rule (LAC 33:III.2115) shall comply with this rule only.

* * *

[See Prior Text in A.2 – G.2.c.v]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 21:387 (April 1995), amended LR 22:1212 (December 1996), LR 23:1507 (November 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:

Subchapter L. Limiting Volatile Organic Compounds (VOC) Emissions from Cleanup Solvent Processing

§2151. Limiting ~~Volatile Organic Compound~~ VOC Emissions from Cleanup Solvent Processing

A. Applicability. The provisions of this Subchapter apply to stationary sources that emit, or have the potential to emit, 50 TPY or more of ~~volatile organic compounds~~ VOC and conduct one or more of the affected cleaning operations in the parishes of Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge. Once a source is subject to this Subchapter, it shall be so~~,~~ ad infinitum. Affected cleaning operations are ones that use solvents in the following operations:

* * *

[See Prior Text in A.1-C.2]

3. submit plans to the administrative authority, to reduce VOC emissions from solvent usage. Sources in Ascension, Calcasieu, East Baton Rouge, Iberville, Livingston, Pointe Coupee, and West Baton Rouge parishes shall submit such plans ~~, within 12 months after promulgation of these regulations~~ no later than April 20, 1996. Sources in Beauregard, Cameron, and Jefferson Davis parishes shall submit such plans no later than [date to be inserted one year from promulgation]. Any increases in VOC emissions due to the substitution of a nonhazardous air pollutant for a hazardous one shall require approval of the administrative authority*. To satisfy all requirements of this Subsection, the owner or operator of an affected facility may alternatively report the controls and/or work practices deemed to be MACT that have been adopted to reduce

VOC emissions from solvent cleanup operations. These plans or submissions become enforceable upon approval.

* * *

[See Prior Text in D-E]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 21:391 (April 1995), amended LR 24:25 (January 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2453 (November 2000), LR 27:

Subchapter M. Limiting Volatile Organic Compounds (VOC) Emissions From Industrial Wastewater

§2153. Limiting ~~Volatile Organic Compound~~ VOC Emissions From Industrial Wastewater

* * *

[See Prior Text in A]

Affected Source Category—any facilities of the following source categories located in Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, Iberville, Jefferson Davis, Livingston, Pointe Coupee, and West Baton Rouge parishes and having the potential to emit 50 TPY or more of VOC~~s~~:

* * *

[See Prior Text in A.Affected Source Category.a – H.5]

I. Parishes and Compliance Schedules~~.~~

1. For the affected facilities in Ascension, Calcasieu, East Baton Rouge, Iberville, Livingston, Point Coupee, and West Baton Rouge parishes ~~the ozone nonattainment parishes classified marginal or above~~, any person who is the owner or operator of an affected source category within a plant shall be in compliance with ~~this rule~~ these regulations no later than November 15, 1996. If an additional affected VOC wastewater stream is generated as a result of a process change, the wastewater shall be in compliance with this Section upon initial startup or by November 15, 1998, whichever is later, unless the owner or operator demonstrates to the administrative authority* that achieving compliance will take longer. If this demonstration is ~~made~~ satisfactory to the administrative authority~~'s* satisfaction~~, compliance shall be achieved as expeditiously as practicable, but in no event later than three years after the process change. An existing wastewater stream that becomes an affected VOC wastewater stream due to a process change must be in compliance with this Section as expeditiously as practicable, but in no event later than three years after the process change.

2. For the affected facilities in Beauregard, Cameron, and Jefferson Davis parishes, any person who is the owner or operator of an affected source category within a plant shall be in compliance with these regulations no later than November 15, 2002. If an additional affected VOC wastewater stream is generated as a result of a process change, the wastewater shall be in compliance with this Section upon initial startup, or by November 15, 2004, whichever is later, unless the owner or operator demonstrates to the administrative authority* that achieving compliance will take longer. If this demonstration is satisfactory to the administrative authority*, compliance shall be achieved as expeditiously as practicable, but in no event later than three years after the process change. An existing wastewater stream that becomes an affected VOC wastewater stream due to a process change must be in compliance with this Section as expeditiously as practicable, but in no event later than three years after the process change.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 21:936 (September 1995), amended LR 22:1212 (December 1996), LR 24:26 (January 1998), LR 25:850 (May 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2453 (November 2000), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES LOG #: AQ 219

Person Preparing Statement: Paul Heussner
Phone: (225) 765-0244

Dept.: Department of Environmental Quality
Office: Office of Environmental Assessment

Return Address: P. O. Box 82178
Baton Rouge, LA 70884-2178

Rule Title: Revision of Chapter 21, Control of Emission of Organic Compounds (LAC 33:III. Chapter 21)

Date RuleTakes Effect: Upon Promulgation

SUMMARY
(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no costs or savings to state or local governmental units as a result of this rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no estimated effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

This proposed rule revision affects four parishes (Calcasieu, Jefferson Davis, Beauregard, and Cameron) by lowering applicability thresholds of four sections in Chapter 21 that regulate fugitive emissions, crude oil and condensate, waste gas disposal, and graphic arts facilities. Additionally, other sections in Chapter 21 that regulate internal/external floating roof tanks, oil/water separation, SOCMI (Synthetic Organic Chemical Manufacturing Industry) reactor processes and distillation operations, batch processing, cleanup solvent processing, and industrial wastewater are revised to include the same stringency that

currently exists for affected facilities in the Baton Rouge nonattainment area and Calcasieu Parish.

The proposed revision to the fugitive rule for the four parishes lowers the applicability threshold from 100 tons per year (TPY) to 50 TPY and increases the frequency of monitoring of the affected facilities. The exact effect this rule will have on a facility will vary. Many of these facilities are already regulated by the federal SOCMI regulations or by federal or state MACT (Maximum Achievable Control Technology) regulations so the proposed rule will have no effect at all. Those facilities that would be affected by the proposed rule are already required to perform regular monitoring. So the primary effect is to increase the frequency of the required monitoring, which will increase costs somewhat. Most of the increased cost comes from conducting monitoring inspections with the smaller part of the increase a result of implementing corrective measures when deficiencies are discovered.

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Oil/water separation, SOCMI reactor processes and distillation operations, batch processing, cleanup solvent processing, and industrial wastewater are currently not regulated in Beauregard, Cameron, and Jefferson Davis parishes. This proposed rule will extend to these parishes the same regulation of these operations that currently exist in the Baton Rouge nonattainment area and Calcasieu Parish.

The exact compliance cost associated with implementation of this proposed rule is difficult to assess since many regulated facilities are subject to other more stringent federal or state rules. Failure to implement emission controls in accordance with the EPA approved maintenance plan for air quality will potentially result in the redesignation of the area to nonattainment and the requirement for more stringent and costly controls.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no effect on competition since all facilities must follow the same rules. There is no estimated effect on employment.

Signature of Agency Head or Designee	LEGISLATIVE FISCAL OFFICER OR DESIGNEE
James H. Brent, PhD, Assistant Secretary	

Typed Name and Title of Agency Head
or Designee

Date of Signature

Date of Signature

LFO 7/1/94

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

The following information is requested in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

A. Provide a brief summary of the content of the rule (if proposed for adoption or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

This rule proposes to revise the applicability thresholds for affected facilities located in the parishes of Beauregard, Calcasieu, Cameron and Jefferson Davis. Sections of Chapter 21 that are proposed for revision include regulations on storage of Volatile Organic Compounds (VOC); Crude Oil and Condensate; Oil/Water Separation; Waste Gas Disposal; Fugitive Emissions; Graphic Arts (Printing) and VOC Emissions from SOCMI Reactor Processes and Distillation Operations, Batch Processing, Cleanup Solvent Processing, and Industrial Wastewater.

B. Summarize the circumstances which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

Calcasieu experienced 6 ozone exceedance days during the years 1998, 1999, and 2000. Four or more exceedances during any consecutive 3-year period constitute a violation of the ozone National Ambient Air Quality Standard (NAAQS). In accordance with activated contingency measures established in the approved air quality Maintenance Plan for Calcasieu Parish, a control strategy must be developed and appropriate control measures implemented in an effort to maintain Calcasieu's current attainment designation and to protect air quality in the area.

C. Compliance with Act II of the 1986 First Extraordinary Session

(1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

No, this proposed rule will not result in any increase in the expenditure of funds.

2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) ____ Yes. If yes, attach documentation.
(b) ____ No. If no, provide justification as to why this rule change should be published at this time.

This proposed rule will not result in any increase in the expenditure of funds.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

   There will be no costs or savings to state or local governmental units as a result of this rule.

COSTS	FY 01-02	FY 02-03	FY 03-04
PERSONAL SERVICES	-0-	-0-	-0-
OPERATING EXPENSES	-0-	-0-	-0-
PROFESSIONAL SERVICES	-0-	-0-	-0-
OTHER CHARGES	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-
TOTAL	-0-	-0-	-0-
MAJOR REPAIR & CONSTR.	–0-	-0-	-0-
POSITIONS(#)			

2. Provide a narrative explanation of the costs or savings shown in "A.1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

   There are no costs or savings associated with the proposed rule. Any workload adjustment will be absorbed by existing staff.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 01-02	FY 02-03	FY 03-04
STATE GENERAL FUND	-0-	-0-	-0-
AGENCY SELF-GENERATED	-0-	-0-	-0-
DEDICATED	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-
OTHER (Specify)	-0-	-0-	-0-
TOTAL	-0-	-0-	-0-

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

   No funds are required to implement the proposed action.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

   There is no anticipated impact of the proposed action on local governmental units.

2. Indicate the sources of funding of the local governmental unit that will be affected by these costs or savings.

   There are no costs or savings to local governmental units and no funding is needed.

FISCAL AND ECONOMIC IMPACT STATEMENT WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

There is no estimated effect on revenue collections of state or local governmental units from the proposed action.

REVENUE INCREASE/DECREASE	FY 01-02	FY 02-03	FY 03-04
STATE GENERAL FUND	-0-	-0-	-0-
AGENCY SELF-GENERATED	-0-	-0-	-0-
RESTRICTED FUNDS*	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-
LOCAL FUNDS	-0-	-0-	-0-
TOTAL	-0-	-0-	-0-

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

There are no estimated effects on revenue collections of state and local governmental units.

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

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Industry) reactor processes and distillation operations, batch processing, cleanup solvent processing, and industrial wastewater are revised to include the same stringency that currently exists for affected facilities in the Baton Rouge nonattainment area and Calcasieu Parish.

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The exact compliance cost associated with implementation of this proposed rule is difficult to assess since many regulated facilities are subject to other more stringent federal or state rules. Failure to implement emission controls in accordance with the EPA approved maintenance plan for air quality will potentially result in the redesignation of the area to nonattainment and the requirement for more stringent and costly controls.

B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

There are no estimated impacts on receipts or income.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

There is no effect on competition since all facilities must follow the same rules. There is no estimated effect on employment in the public and private sectors.